

EXHIBIT D

1

2 UNCERTIFIED REALTIME ROUGH DRAFT

3

4 This realtime draft is unedited and
5 uncertified and may contain untranslated stenographic
6 symbols, an occasional reporter's note, a misspelled
7 proper name and/or nonsensical word combinations.

8

9 This is an unedited version of the deposition
10 transcript and should not be used in place of a
11 certified copy. This document should not be duplicated
12 or sold to other persons or businesses. This document
13 is not to be relied upon in whole or in part as the
14 official transcript.

15

16 This uncertified realtime rough draft version
17 has not been reviewed or edited by the certified
18 shorthand reporter for accuracy. This unedited
19 transcript is computer generated and random translations
20 by the computer may be erroneous or different than that
21 which will appear on the final certified transcript.

22

23 Due to the need to correct entries prior to
24 certification, the use of this realtime draft is only

25 for the purpose of augmenting counsel's notes and cannot

1

▲ **ROUGH DRAFT TRANSCRIPT - DO NOT CITE**

1 be used to cite in any court proceeding or be
2 distributed to any other parties.

3

4 Acceptance of this realtime draft is an
5 automatic final copy order.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

2

▲

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

ENTROPIC COMMUNICATIONS, LLC,

PLAINTIFF, CASE
NO.:

vs.
2:23-CV-01043-JWH-KES

DISH NETWORK CORPORATION, ET AL.,

DEFENDANTS.

_____ /

ENTROPIC COMMUNICATIONS, LLC,

PLAINTIFF, CASE
NO.:

vs.
2:23-CV-01043-JWH-KES

COX COMMUNICATIONS, INC., ET AL.,

DEFENDANTS.

_____ /

REPORTER'S TRANSCRIPT OF REMOTE PROCEEDINGS

FRIDAY, DECEMBER 1, 2023

STENOGRAPHICALLY REPORTED BY:

MEGAN F. ALVAREZ, RPR, CSR No. 12470

3

▲

JOB NO. 6316705

PAGES 1 -

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
3 SOUTHERN DIVISION
4
5 ENTROPIC COMMUNICATIONS, LLC,
6 PLAINTIFF,
7 NO.:
8 VS.
9 2:23-CV-01043-JWH-KES
10 DISH NETWORK CORPORATION, ET AL.,
11 DEFENDANTS.

11 /

12 ENTROPIC COMMUNICATIONS, LLC,

13 PLAINTIFF,
14 NO.:
15 vs.
16 2:23-CV-01043-JWH-KES
17 COX COMMUNICATIONS, INC., ET AL.,
18 DEFENDANTS.

18 _____ /
19
20
21 Hearing, VIA REMOTE COUNSEL, beginnin
22 9:30 a.m. and ending at 10:18 a.m. on Friday,
23 December 1, 2023, before Megan F. Alvarez, RPR,
24 Certified Shorthand Reporter No. 12470.

25

5

1 APPEARANCES: (ALL PARTIES APPEARING VIA VIDEOCONFERENCE)
2
3 BEFORE: DAVID M. KEYSER, SPECIAL MASTER
4 LAW OFFICE OF DAVID KEYZER, P.C.
5 5170 GOLD FOOTHILL PARKWAY
6 EL DORADO HILLS, CALIFORNIA 95762
7 916.243.5259
8 DAVID@KEYZERLAW.COM
9

10 FOR PLAINTIFF:

11 BY: KATHERINE L. ALLOR, ESQ.
12 K&L GATES
13 70 WEST MADISON STREET
14 SUITE 3300
15 CHICAGO, ILLINOIS 60602
16 312.807.4325
17 KATY.ALLOR@KLGATES.COM
18 BY: CHRISTINA N. GOODRICH, ESQ.
19 CASSIDY T. YOUNG, ESQ.
20 K&L GATES
21 10100 SANTA MONICA BOULEVARD
22 EIGHTH FLOOR
23 LOS ANGELES, CALIFORNIA 90067
24 310.552.5547
25 CHRISTINA.GOODRICH@KLGATES.COM

6

▲

1 APPEARANCES: (CONTINUED)

2 FOR DEFENDANTS:

3 BY: KRISHNAN PADMANABHAN, ESQ.
4 WINSTON & STRAWN LLP
5 200 PARK AVENUE
6 NEW YORK, NEW YORK 10166

7 212.294.6700
8 212.294.4700 FAX
9 KPADMINABHAN@WINSTON.COM

10 AND

11 BY: SARANYA RAGHAVAN, ESQ.

12 WINSTON & STRAWN LLP

13 35 W. WACKER DRIVE

14 CHICAGO, ILLINOIS 60601

15 312.558.5600

16 SRAGHAVAN@WINSTON.COM

17 AND

18 BY: CLAIRE E. DIAL, ESQ.

19 WINSTON & STRAWN LLP

20 800 CAPITOL STREET

21 SUITE 2400

22 HOUSTON, TEXAS 77002

23 713.651.2795

24 CDIAL@WINSTON.COM

25

1 APPEARANCES: (CONTINUED)

2

3 FOR DEFENDANTS:

4 BY: DIANA LEIDEN, ESQ.
5 WINSTON & STRAWN LLP
6 333 S. GRAND AVENUE
7 LOS ANGELES, CALIFORNIA 90071.1543
8 213.615.1700
9 213.615.1750 FAX
10 DHLEIDEN@WINSTON.COM
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

12 confer to narrow scope or there's a continuing
13 dispute regarding scope in light of the amended
14 complaint, then that is something as Mr. Padmanabhan
15 raised, the parties can meet and confer on and then
16 raise that dispute with you.

17 And we may respectfully request that
18 perhaps the parties set a follow-up status
19 conference so that we can have something on calendar
20 where those disputes can be raised or we hopefully
21 there are no disputes and we can move forward.

22 But it is our belief based on the
23 groundwork from which we view this matter that
24 because there's no discovery stay in place,
25 discovery remains open. We understand however

22

▲ **ROUGH DRAFT TRANSCRIPT - DO NOT CITE**

1 Comcast concerns and arguments with respect to them
2 not knowing the scope of the claims and what claims
3 will be asserted until we amend. And which is why
4 we are proposing this somewhat of a compromise here.

5 I can tell you though we will be
6 reasserting all of the same patents, and it will
7 come as no surprise because I raised this during the
8 prior discovery dispute hear that one of the grounds

9 for willfulness, which is on a patent-by-patent
10 basis, is the original filing of the complaint which
11 relevant case law says is sufficient to support
12 allegations of willfulness.

13 So that there's no surprise there we're
14 not talking by a situation where we're going from 12
15 patents to two patents or we're going from 12
16 patents to 22.

17 There is a separate motion for leave to
18 amend that we had filed that we don't need to
19 discuss here today. But in terms of what will be
20 filed on December 8th, that will not look radically
21 different in terms of the patents asserted, the
22 claims, and the allegations of willfulness.

23 We will of course add to them, but we
24 believe that the discovery that we have served that
25 are the subject of the special master order will

23

▲ **ROUGH DRAFT TRANSCRIPT - DO NOT CITE**

1 remain relevant and appropriate in light of the
2 amendment.

3 With respect to the jurisdictional portion
4 of the judge's order, again, as a reminder that
5 dates back to ex parte briefing that Entropic had